

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAVID DURBIN,

Plaintiff,

v.

JOSEPH LEHMAN, *et al.*,

Defendants.

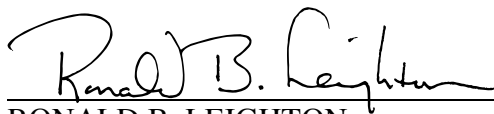
Case No. C05-5041 RBL/KLS

ORDER ADOPTING REPORT AND  
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants' motion for summary judgment (Dkt. # 14) is **GRANTED**;
- (3) Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**; and
- (4) The Clerk is directed to send copies of this Order to plaintiff, counsel for defendants and to the Hon. Karen L. Strombom.

DATED this 2<sup>nd</sup> day of September, 2006.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE